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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,967	06/08/2001	James C. Bedingfield	60027.0103US01/BS00241	2161

39262 7590 07/09/2004
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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/09/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,967

Applicant(s)

BEDINGFIELD ET AL.

Examiner

Willie J. Daniel, Jr.

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-25 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 June 2001 and 19 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9 and 10.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on

- a. 19 April 2004 (Item 9)
- b. 19 April 2004 (Item 10)

is in compliance with the provisions of 37 CFR 1.97 and is being considered by the examiner.

Drawings

2. The drawings are objected to because of **Form PTO-948** sections 11 and 12. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The objections to the Figs. 1-4 are withdrawn, as the proposed Figs. 1-4 corrections are approved.

Specification

4. The objections to the specification are withdrawn, as the proposed specification corrections are approved.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by **O'Neil et al. (US 5,963,864)**.

Regarding **Claim 1**, O'Neil et al. discloses a system (see col. 8, line 43-50; Fig. 1) for providing a simultaneous ring service for a subscriber (see abstract; col. 8, line 43-50; Figs. 4a-b and 5), comprising:

a switch (16a-b) in communication with a “wireline” which hereinafter reads on the claimed “landline” telecommunications unit (20e or 20f) associated with the subscriber for detecting a first terminating trigger specific to the service in response to an incoming communication to the landline telecommunications unit (20e) from a calling party (20a-d) (see col. 10, line 8 - col. 11, line 24; Figs. 4a-b and 5);

a service control point (24) in communication with the switch (16b) for determining, in response to detection of the first terminating trigger by the switch (16b), whether the landline telecommunications unit (20e) and an associated wireless telecommunications unit (34) of the subscriber are available (col. 12, lines 5-40; col. 16, line 57 - col. 17, line 19; Figs. 4a-b and 5); and

a services node (30) in communication with the switch (16b) for receiving the incoming communication from the switch (16b) when the service control point (24) determines that

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both the landline telecommunications unit (20e) and the wireless telecommunications unit (34) are available, and, in response thereto, for placing first and second outgoing communications (see col. 12, line 41 - col. 13, line 8; col. 16, line 52 - col. 17, line 19; Figs. 4a-b and 5),

wherein the switch (16b) is further for routing the second outgoing communication to the landline telecommunication unit and for detecting a second terminating trigger in response to the first outgoing communication (see col. 16, lines 4-30; Figs. 4a-b and 5), and

wherein the service control point, in response to detection of the second terminating trigger by the switch (16b), is further for instructing the switch to route the second outgoing communication to the wireless telecommunications unit (see col. 16, line 52 - col. 17, line 19; Figs. 4a-b and 5).

Regarding **Claim 2**, O'Neil et al. discloses the system (Fig. 1) of claim 1, wherein the services node (30) is further for:

connecting the incoming communication to the landline telecommunications unit (20e) when the landline telecommunications unit (20e) is answered before the wireless telecommunications unit (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

connecting the incoming communication to the wireless telecommunications unit (34) when the wireless telecommunications unit (34) is answered before the landline telecommunications unit (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **Claim 3**, O'Neil et al. discloses the system (Fig. 1) of claim 2, wherein the services node (30) is further for:

dropping the first outgoing communication when the landline telecommunications unit (20e) is answered before the wireless telecommunications unit (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

dropping the second outgoing communication when the wireless telecommunications unit (34) is answered before the landline telecommunications unit (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **Claim 4**, O'Neil et al. discloses the system of claim 3, wherein the service control point (24) includes an associated database (28) storing a directory number associated with the wireless telecommunications unit (see col. 15, lines 40-53; Fig. 1), and

wherein the services node (30) is not for storing the directory number associated with the wireless telecommunications unit (34) (see col. 12, lines 11-24; col. 15, lines 40-53; Fig. 1), where the directory number for the wireless telecommunications unit is stored in the database of the SCP for the extension services provided.

Regarding **Claim 5**, O'Neil et al. discloses the system of claim 1, wherein the services node (30) is further for placing the second "leg" which reads on the claimed hereinafter "outgoing" communication a predetermined time period after placing the first outgoing communication (see col. 20, line 66 - col. 21, line 13), where the directing to the wireless unit takes a certain time period to setup then directing to the wireline unit so the rings would be simultaneous because of the delay through the wireless network.

Regarding **Claim 6**, O'Neil et al. discloses the system of claim 1, wherein the service control point (24) is for determining whether the landline telecommunications unit (20e) is

available by sending a query message to the switch (16b) requesting a status of the landline telecommunications unit (20e) (see col. 16, line 66 - col. 17, line 12; Figs. 4a-b).

Regarding **Claim 7**, O'Neil et al. discloses the system of claim 6, wherein the service control point (24) is for determining whether the wireless telecommunications unit (34) is available by sending a query message to a home location register requesting the status of the wireless telecommunications unit (34) (see col. 16, line 56-65; col. 18, line 6-19; Figs. 4a-b).

Regarding **Claim 8**, O'Neil et al. discloses the system of claim 7, wherein the service control point (24) is further for determining that the wireless telecommunications unit (34) is available when the home location register (40) does not respond to the query message within a predetermined time period (see col. 14, lines 15-33; Figs. 1), when there is no response within a certain period of time from the HLR of the availability of the wireless unit the system will check the VLR when the wireless unit is roaming (see col. 18, line 4-19).

Regarding **Claim 9**, O'Neil et al. discloses the system of claim 1, wherein the service control point (24) is further for instructing the switch (16b) to route the incoming communication to the landline telecommunications unit (20e) when the service control point determines that at least one of the landline telecommunications unit (20e) and the wireless telecommunications unit (34) are not available (see col. 16, line 52 - col. 17, line 12).

Regarding **Claim 10**, O'Neil et al. discloses a method for providing a simultaneous ring service for a subscriber (see abstract; col. 8, line 43-50; Figs. 4a-b and 5), comprising:

detecting an incoming communication from a calling party (20a-d) to a landline telecommunications (20e) unit associated with the subscriber (see col. 8, line 43-50);

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determining, in response to detection of the incoming communication, whether the landline telecommunications unit (20e) and an associated wireless telecommunications unit (34) of the subscriber are available (see col. 16, line 52 - col. 17, line 19; Fig. 4A-B and 5);

placing first and second outgoing communications when both the landline telecommunications unit (20e) and the wireless telecommunications unit (34) are available (see col. 20, line 66 - col. 21, line 48; Figs. 4A '110' and 5 '210');

routing the second outgoing communication to the landline telecommunication unit (20e) (see col. 21, line 2-25; Fig. 1);

detecting a trigger in response to the first outgoing communication (see col. 21, lines 13-25), where the trigger determines the status of the wireless unit; and

routing, in response to detection of the trigger, the first communication to the wireless telecommunications unit (34) (see col. 21, line 26-48; Figs. 4A-B and 5; Fig. 1).

Regarding **Claim 11**, O'Neil et al. discloses the method of claim 10, further comprising:

connecting the incoming communication to the landline telecommunications unit (20e) when the landline telecommunications unit (20e) is answered before the wireless telecommunications unit (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

connecting the incoming communication to the wireless telecommunications unit (34) when the wireless telecommunications unit (34) is answered before the landline telecommunications unit (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **Claim 12**, O'Neil et al. discloses the method of claim 11, further comprising:

dropping the first outgoing communication when the landline telecommunications unit (20e) is answered before the wireless telecommunications unit (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

dropping the second outgoing communication when the wireless telecommunications unit (34) is answered before the landline telecommunications unit (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **Claim 13**, O'Neil et al. discloses the method of claim 10, wherein placing the first and second outgoing communications includes placing the first outgoing communication a predetermined time period before placing the second outgoing communication (see col. 20, line 66 - col. 21, line 13), where the directing to the wireless unit takes a certain time period to setup then directing to the wireline unit so the rings would be simultaneous because of the delay through the wireless network.

Regarding **Claim 14**, O'Neil et al. discloses the method of claim 10, wherein determining whether the landline telecommunications unit (20e) is available includes sending a query message requesting a status of the landline telecommunications unit (20e) (see col. 16, line 66 - col. 17, line 12; Figs. 4a-b).

Regarding **Claim 15**, O'Neil et al. discloses the method of claim 14, wherein determining whether the wireless telecommunications unit (34) is available includes sending a query message to a home location register requesting a status of the wireless telecommunications unit (34) (see col. 16, line 56-65; col. 18, line 6-19; Figs. 4a-b).

Regarding **Claim 16**, O'Neil et al. discloses the method of claim 15, wherein

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determining whether the wireless telecommunications unit (34) is available includes determining that the wireless telecommunications unit (34) is available when the home location register (40) does not respond to the query message within a predetermined time period (see col. 14, lines 15-33; Figs. 1), when there is no response within a certain period of time from the HLR of the availability of the wireless unit the system will check the VLR when the wireless unit is roaming (see col. 18, line 4-19).

Regarding **Claim 17**, O'Neil et al. discloses the method of claim 10, further comprising routing the incoming communication to the landline telecommunications unit (20e) when it is determined that at least one of the landline telecommunications unit (20e) and the wireless telecommunications unit (34) are not available (see col. 16, line 52 - col. 17, line 12).

Regarding **Claim 18**, O'Neil et al. discloses a system for providing a simultaneous ring service for a subscriber (see abstract; col. 8, line 43-50; Figs. 1, 4a-b, and 5), comprising:

means for detecting an incoming communication from a calling party (20a-d) to a landline telecommunications unit (20e) associated with the subscriber (see col. 8, line 43-50);

programmable determination means for determining, in response to detection of the incoming communication, whether the landline telecommunications unit (20e) and an associated wireless telecommunications unit (34) of the subscriber are available (see col. 16, line 52 - col. 17, line 19; Fig. 4A-B and 5);

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programmable service means for placing first and second outgoing communications when both the landline telecommunications unit (20e) and the wireless telecommunications unit (34) are available (see col. 20, line 66 - col. 21, line 48; Figs. 4A '110' and 5 '210');

switching means for routing the second outgoing communication to the landline telecommunications unit (20e) (see col. 21, line 2-25; Fig. 1);

means for detecting a trigger in response to the first outgoing (see col. 21, lines 13-25), where the trigger determines the status of the wireless unit (see col. 21, line 2-25; Fig. 1); and

switching means for routing, in response to detection of the trigger, the first communication to the wireless telecommunications unit (34) (see col. 21, line 26-48; Figs. 4A-B and 5).

Regarding **Claim 19**, O'Neil et al. discloses the system of claim 18, wherein the programmable service means further include:

programmable switching means for connecting the incoming communication to the landline telecommunications unit (20e) when the landline telecommunications unit (20e) is answered before the wireless telecommunications unit (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

programmable switching means for connecting the incoming communication to the wireless telecommunications unit (34) when the wireless telecommunications unit (34) is answered before the landline telecommunications unit (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **Claim 20**, O'Neil et al. discloses the system of claim 19, wherein the programmable service means further include:

programmable means for dropping the first outgoing communication when the landline telecommunications unit (20e) is answered before the wireless telecommunications unit (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

programmable means for dropping the second outgoing communication when the wireless telecommunications unit (34) is answered before the landline telecommunications unit (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **Claim 21**, O'Neil et al. discloses the system of claim 18, wherein the programmable service means for placing the first and second outgoing communications includes programmable service means for placing the first outgoing communication a predetermined time period before placing the second outgoing communication (see col. 20, line 66 - col. 21, line 13), where the directing to the wireless unit takes a certain time period to setup then directing to the wireline unit so the rings would be simultaneous because of the delay through the wireless network.

Regarding **Claim 22**, O'Neil et al. discloses the system of claim 18, wherein the programmable means for determining whether the landline telecommunications unit (20e) is available includes programmable means for sending a query message requesting a status of the landline telecommunications unit (20e) (see col. 16, line 66 - col. 17, line 12; Figs. 4a-b).

Regarding **Claim 23**, O'Neil et al. discloses the system of claim 22, wherein the programmable means for determining whether the wireless telecommunications unit (34) is available includes programmable means sending a query message to a home location register requesting a status of the wireless telecommunications unit (34) (see col. 16, line 56-65; col. 18, line 6-19; Figs. 4a-b).

Regarding **Claim 24**, O'Neil et al. discloses the system of claim 23, wherein the programmable means for determining whether the wireless telecommunications unit (34) is available includes programmable means for determining that the wireless telecommunications unit (34) is available when the home location register (40) does not respond to the query message within a predetermined time period (see col. 14, lines 15-33; Figs. 1), when there is no response within a certain period of time from the HLR of the availability of the wireless unit the system will check the VLR when the wireless unit is roaming (see col. 18, line 4-19).

Regarding **Claim 25**, O'Neil et al. discloses the system of claim 18, further comprising switching means for routing the incoming communication to the landline telecommunications unit (20e) when it is determined that at least one of the landline telecommunications unit (20e) and the wireless telecommunications unit (34) are not available (see col. 16, line 52 - col. 17, line 12).

Response to Arguments

6. Applicant's arguments filed 19 April 2004 have been fully considered but they are not persuasive.

In response to applicant's argument Claim 1 (on page 16 - 17) "detecting a second terminating trigger in response to the first outgoing communication, and wherein the service control point, in response to detection of the second terminating trigger by the switch, is further for instructing the switch to route the second outgoing communication to the wireless telecommunications unit" which applicant states is not taught by O'Neil. Examiner respectfully disagrees with argument. O'Neil discloses that any type of unit (wireless or wireline) can be used to direct communication with any other type of unit (wireless or wireline) (see col. 9, lines 45-60), which allows for either the wireline or wireless unit to be first or second communication that meets the claiming of the second outgoing communication to the wireless telecommunication unit.

Another Claim 1 argument by applicant (on page 17, 2nd paragraph, lines 6-7) "a trigger at the switch as a result of a call to a wireless number" which applicant states is not taught by O'Neil. Examiner disagrees with the argument. O'Neil discloses an AIN (Advanced Intelligent Network) which triggers an event (see col. 12, lines 25-40; col. 15, lines 1-9; Figs. 4A "step 110" and 5 "step 210"), where the switches provide triggers on how to process a call to a wireless or wireline telephone number which operates in conjunction with the SCP according to the feature or service provided.

In response to applicant's argument Claims 5, 13, 21 (on page 17, 3rd paragraph, lines 3-6) "placing the second outgoing communication a predetermined time after placing the first

outgoing communication” “placing the first outgoing communication a predetermined time period before placing the second outgoing communication” which applicant states is not taught by O’Neil. Examiner disagrees with the argument. O’Neil discloses setting up the wireless call before setting up the wireline call (see col. 20, line 48 - col. 21, line 13), where the service node (30) of the AIN is aware that more time is needed for establishing a call in a wireless network as compared to a wireline network, the wireless call will be established then the wireline call in order for the ringing of both the wireless and wireline unit at the same time. The timer of the service node would be inherent.

In response to applicant’s argument Claims 8, 16, 24 (on page 18, 2nd paragraph, lines 6-8) “determining that the wireless telecommunications unit is available when the home location register does not respond to the query message within a predetermined time period” which applicant states is not taught by O’Neil. Examiner disagrees with the argument. O’Neil discloses the SCP inquiring or checking with the HLR (home location register) about the availability of a wireless unit in which the SCP will alternatively check with the VLR (visitors’ location register) if the wireless unit is “roaming” (see col. 17, line 39 - col. 18, line 22), where the SCP checks with the HLR then VLR concerning the status of the wireless unit since the wireless unit is not currently within the home network the HLR in which no response from HLR about the status of the wireless unit would be inherent.

In response to applicant’s comments of Claims 10 and 18 on pages 18-19, are rejected for the same reasons set forth for Claim 1.

In response to applicant’s comments of Claims 2-4, 6-7, 9, 11-12, 14-15, 17, 19-20, 22-23, 25 on pages 18-19, are rejected for the same reasons set forth for Claims 1, 10, 18.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. **Gerszberg et al. (US 5,956,631)** discloses a *Multiple Terminal Device Ringing Digital Subscriber ISDN Terminal*.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (703) 305-8636. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WJD,JR/wjd,jr
29 June 2004


CHARLES APPIAH
PRIMARY EXAMINER